

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division**

R.M.S. TITANIC, INC.,
successor-in-interest to
Titanic Ventures, limited partnership,
Plaintiff,

v.

Civil Action No. 2:93cv902

THE WRECKED AND ABANDONED VESSEL,
ITS ENGINES, TACKLE, APPAREL,
APPURTENANCES, CARGO, ETC., LOCATED
WITHIN ONE (1) NAUTICAL MILE OF A POINT
LOCATED AT 41 43/ 32' NORTH LATITUDE
AND 49 56' 49" WEST LONGITUDE,
BELIEVED TO BE THE R.M.S. TITANIC
in rem,

Defendant.

**PERIODIC REPORT ON THE PROGRESS OF RESEARCH AND RECOVERY
OPERATIONS**

NOW COMES Plaintiff, R.M.S. Titanic, Inc. ("RMST" or the "Company"), by counsel, and files this Periodic Report of R.M.S. Titanic, Inc. on the Progress of Research and Recovery Operations ("Periodic Report").

I. Protection of the Wreck Site.

On February 23, 2023, the Company sent a letter to Mr. David Thompson, Group Chief Operating Officer of Magellan Ltd., asking for the dates of departure and return of Magellan's 2022 expedition, processed navigation data for its activities at the wreck site, and confirmation that Magellan neither disturbed the wreck nor conducted recovery operations at the site. *See*, Exhibit 1 attached hereto. RMST sent this letter in keeping with the Court's August 15, 2022 Order directing it to further investigate Magellan's activity and provide the Court with additional details it learns concerning Magellan's expedition including dive plans, timing, and equipment. Dkt. 675. Mr. Thompson responded on March 6, 2023, but while noting that it maintained a "zero-

contact policy”, “did not disturb or interfere with the site” and “did not perform recover operations”, it failed to provide the dates of departure and return and the processed navigation data for its activities at the wreck site. *See*, Exhibit 2 attached hereto. RMST remains skeptical of certain information Magellan provided to the Court, including the duration of time the company actually spent at the wreck site. RMST will continue its investigation.

Magellan Ltd. recently released new images of the wreck site taken during its 2022 expedition which identify the specific location of a number of priceless artifacts in the debris field, including what they claim is a gold necklace made from the tooth of a prehistoric megalodon shark. The public release of these images, while beautiful and compelling, causes RMST concern about the vulnerability of the site and the security of artifacts in the debris field. Given its obligation to protect the site, the Company intends to conduct an expedition in 2024 to map the site with state of the art technology to provide current data and to monitor the impact of other expeditions to the wreck site.

II. Research and Recovery Expedition.

RMST has decided to conduct a research and recovery expedition during early phases of the 2024 weather window, likely in May 2024. The Company plans to image the entire wreck, including inside the wreck where deterioration has opened chasms sufficient to permit a remotely operated vehicle to penetrate the hull without interfering with the current structure or detaching any objects affixed to the structure. The Company will also engage in targeted artifact recovery of items in the debris field. It may recover free-standing objects inside the wreck, including for example objects from inside the Marconi room, but only if such objects are not affixed to the wreck itself. At this time, the Company does not intend to cut into the wreck or detach any part of the

wreck; if these plans change, the Company will move the Court to amend its July 28, 2000 Order prohibiting such action.

The Company intends to work collaboratively with NOAA, but it does not intend to seek a permit under Section 113. In conjunction with this Court's order, RMST will provide this Court with detailed plans for its Expedition 2024.

III. Titanic Exhibitions.

The "permanent" exhibitions in Las Vegas and Orlando continue to operate with Orlando hosting the "Discover Titanic" Speaker Series which took place April 14-16, 2023, commemorating the 111th anniversary of the sinking. Alexandra Klingelhofer and Jeffrey Taylor represented the Collections team and William Lange, David Gallo, PH Nargeolet, Rory Golden, Bill Willard, and survivor descendent Frank Goldsmith spoke to an in-person group of international participants via zoom. James Penca of Vintage Digital Revival ("VDR"), the developers of the Titanic Honor and Glory digital photorealistic recreation of the *Titanic* and her maiden voyage also presented. For more than a decade VDR has been developing this historically accurate representation of the fated liner; and the Company has recently entered an exclusive partnership with VDR to bring this unparalleled content to exhibitions through immersive environments, educational materials, and engaging visuals.

The Company is proud to welcome Sheryl Rinkol as Director of Education and Titanic Outreach to update and align the Company's teacher's guides and lesson plans to post-covid curriculum. Mrs. Rinkol, a Titanic researcher and historian, has previously taught a semester long Titanic-based course as Professor at Wesleyan University and is an esteemed member of several Titanic Historical Societies worldwide. Mrs. Rinkol has already led a teacher driven focus group

with over forty-five educators across primary, middle, and high school to aid in updating the Company's teacher's guides and curriculum-based lesson plans.

The Company's touring exhibitions have resumed operations with the first exhibitions opening in Linkoping, Sweden May 27, 2023, Paris, France July 18, 2023, and domestically in the Fall.

IV. Ongoing Artifact Research.

The Company has recently collaborated with the Lazarus Project at the University of Rochester to use multispectral imaging to identify new features on artifacts recovered from the wreck site. The University will be using this technology on fragile Titanic paper items in hopes of identifying signatures not previously visible. The collaboration is intended to conduct further research about passengers and crew by identifying damaged and/or illegible texts.

V. Reserve Account.

As of June 5, 2023, the balance in the reserve account was \$1,216,286.29. The Company made its most recent quarterly deposit on May 18, 2023, and the next deposit will be made on August 17, 2023.

Respectfully submitted,

RMS TITANIC, INC.

By Counsel:

/s/ Brian A. Wainger

Brian A. Wainger, VSB #38476

Attorney for Plaintiff RMS Titanic, Inc.

KALEO LEGAL

4456 Corporation Lane, Suite 135

Virginia Beach, VA 23462

Tel: (757) 965-6804

Fax: (757) 304-6175

E-Mail: bwainger@kaleolegal.com

CERTIFICATE OF SERVICE

I hereby certify that on June 13, 2023, a copy of the foregoing has been electronically filed with the Clerk of the Court using the CM/ECF system, which will send electronic notification of such filing to all counsel of record.

/s/ Brian A. Wainger

Brian A. Wainger, VSB #38476

Attorney for Plaintiff RMS Titanic, Inc.

KALEO LEGAL

4456 Corporation Lane, Suite 135

Virginia Beach, VA 23462

Tel: (757) 965-6804

Fax: (757) 304-6175

E-Mail: bwainger@kaleolegal.com